

### **Remarks**

Claims 2-31, 33-41, 43-46, 49-59, and 61-64 are pending in this application. Applicants elect Examiner's Group II (claims 5-13, 15-21, and 25-27) drawn to an isolated nucleic acid molecule encoding a RFX4\_v3 polypeptide, a vector, or host cell comprising the same and a method for producing a variant of the same. Applicants further elect SEQ ID NO: 8 (corresponding nucleic acid SEQ ID NO: 37) and SEQ ID NO: 11 (a species of promoter recited in claim 10) for prosecution.

Applicants have made a species election for initial prosecution, as required. In accordance with the current United States Patent and Trademark Office (USPTO) rules and guidelines, upon allowance of any claim directed to the elected species, the USPTO is under an obligation to search additional members of the genus.

#### ***Request for Rejoinder***

Applicants have elected claims to a product (Group II); method claims are included in this case that depend from or otherwise include all the limitations of claims to this product. These method claims are currently assigned to Examiner's Groups III and IV. Applicants expressly request that the method claims of Groups III and IV be rejoined with the product claims of Group II, and the claims examined at the latest upon the allowance of any of the product claims. It is believed that this is in accordance with the current Patent and Trademark Office Guidelines for Restriction Requirements in TC1600.

**Conclusion**

It is believed that the application is in condition for substantive examination. If any minor matters remain to be addressed prior to examination, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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